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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,708	09/22/2003	Jie-Wei Chen	03-495	9248

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BACHMAN & LAPOINTE, P.C.
900 CHAPEL STREET
SUITE 1201
NEW HAVEN, CT 06510

EXAMINER

SCHATZ, CHRISTOPHER

ART UNIT PAPER NUMBER

1733

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,708

Applicant(s)

CHEN ET AL

Examiner

Christopher T. Schatz

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The amendment to the Specification filed on February 6, 2006 has been accepted the examiner.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 12-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 12 recites the limitation “providing a machine head having a translucent pressure element.” The specification does not support applicant’s use of the term translucent. The specification recites the presence of a *transparent* pressure element. Applicant should note that an element can be translucent without being transparent. The definition of the term translucent is broader than the term transparent. Appropriate action is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamata '609 in view of Azdasht (DE 4319742).

Nakamata discloses a method for joining two workpieces made from plastic, comprising providing a laser source for emitting a laser beam, providing an upper workpiece, comprising a material transparent to the laser beam 2, and a lower workpiece comprising a material absorbent to the laser beam 1, wherein mutually bordering contact surfaces for the two workpieces are melted under the effect of the laser beam and joined to one another under pressure and subsequent cooling (column 5, lines 13-18), providing a machining head 4 and pressing onto the upper workpiece wherein a mechanical compression of the workpieces and a guiding of the laser beam are accomplished simultaneously (column 3, line 32 – column 5, line 18, figure 1-4). The reference is silent as to a method wherein the machine head comprises a translucent pressure element.

Azdasht is directed to a method of laser bonding upper 4 and lower 5 workpieces, said method comprising a translucent pressure element 3 in a machining head, wherein said pressure element contacts the upper workpiece and compresses said workpieces while guiding the laser beam (abstract, figures, also see attached machine translation). A translucent pressure element is advantageous because said element allows laser light to pass through to the workpieces while compressing said pieces in order to improve bonding and reduce the gap between said workpieces during bonding. Therefore, at the time of the invention it would have been obvious to

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a person of ordinary skill in the art to provide the machining head of Nakamata with a translucent pressure element as taught by Azdasht above. Such a modification would improve the bond formed by the method of Nakamata.

As to claim 13, Azdasht discloses a method wherein the mechanical compression of the workpieces occurs exactly at the point of infringement (see figures). Nakamata discloses a method wherein compression occurs in a region around the point of infringement (column 4, line 52 – column 5, line 2). As to claim 14, Azdasht discloses a method wherein the machining head is moved along a line or contour to be welded while touching the upper surface. As to claim 14, Nakamata discloses a method wherein a dosage of the compression is preformed by the machining head (column 4, line 52 – column 5, line 2, figure 3). As to claims 16 and 17, the combination of references meet the limitations of the claim for the reasons as set forth in the discussion of claims 4 and 5 on pages 9-10 of the office action dated November 15, 2005.

Response to Arguments

Applicant's arguments with respect to the 35 U.S.C. 102(b) rejections made in sections 7 and 8 of the office action dated November 15, 2005 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to Itagaki have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to Nakamata have been considered but are moot in view of the new ground(s) of rejection.

With respect to Azdasht, applicant's arguments are commensurate with the scope of applicant's claims because the independent claim *does not require* a separate step of forming the laser. The claim also does not require a separate step of focusing the laser. Applicant should note that even if applicant were to amend the claim to require a forming and focusing step, the combination of references would still meet the amended claim because the formation of a laser beam is inherent in both references and Nakamata discloses a focusing step.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

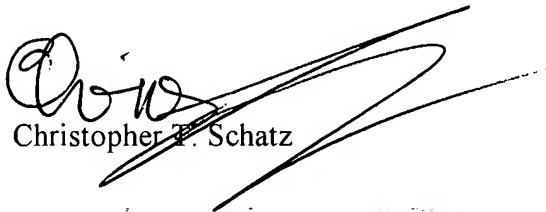
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher T. Schatz whose telephone number is 571-272-1456. The examiner can normally be reached on 8:00-5:30, Monday -Friday.

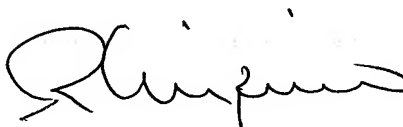
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher T. Schatz



RICHARD CRISPINO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700